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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,551	12/10/1999	LYNN Y. LIU	AIMN-01-006	2530

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EXAMINER

NGUYEN, NGA B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/467,551

Applicant(s)

Liu et al.

Examiner
Nga B. Nguyen

Art Unit
3628



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 10, 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 7 20) ☐ Other:

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DETAILED ACTION

1. This Office Action is the answer to the communication filed on December 10, 1999, which paper has been placed of record in the file.
2. Claims 1-20 are pending in this application.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Dedrick, U.S. Patent No. 5,768,521.

Regarding to claim 1, Dedrick discloses a method of accounting for services provided in an Internet access transaction comprising:

using a first server to track an amount of time a first user is connected to the Internet through a first system operated by a first Internet Service Provider with whom the first user does not have an account (column 3, line 45-column 4, line 9);

transmitting a user record from the first server to a central settlement server, the user record comprising data that includes an identifier for the first user and the amount of time the first

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user was connected to the Internet through the first system (column 4, lines 10-19 and column 4, lines 52-65); and

using the central settlement server to generate a report from the user record, the report including at least the amount of time the first user was connected to the Internet through the first system (column 6, lines 34-41).

Regarding to claim 4, Dedrick further discloses providing the report to the first Internet Service Provider (column 6, lines 38-41).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, and 5-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dedrick, U.S. Patent No. 5,768,521 in view of Official notice taken by Examiner.

Regarding to claims 2-3, Dedrick does not teach before generating the report, filtering the data in the user record includes the removal of duplicate records. Official notice is taken that filtering the data in the user record includes the removal of duplicate records is well-known in the art of data processing. Therefore, it would have been obvious to one with ordinary skill in the art

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at the time the invention was made to include the feature above with Dedrick's for the purpose of removing of duplicate records for generating a bill.

Regarding to claim 5, Dedrick does not disclose storing the user record on a second server before transmitting the user record to the central settlement server. Official notice is taken that storing or backup data on a second server is well-known in the art backup data. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Dedrick's for the security purpose.

Regarding to claim 6, Dedrick discloses a method of accounting for services provided in an Internet access transaction comprising:

using a first server to track an amount of time a first user is connected to the Internet through a first system operated by a first Internet Service Provider with whom the first user does not have an account (column 3, line 45-column 4, line 9);

the user record including at least an identifier for the first user and the amount of time the first user was connected to the Internet through the first system (column 4, lines 52-65);

at selected intervals, transmitting the user record to a central settlement server, the central settlement server being located at a different physical location than the first server (column 7, lines 45-49);

storing the user record in a first database controlled by the central settlement server (column 5, line 63-column 6, line 13); and

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using the central settlement server to generate a roaming report, the roaming report including at least an amount of money owed to the first Internet Service Provider for the amount of time the first user was connected to the Internet through the first system (column 6, lines 34-62).

Dedrick does not disclose transmitting a user record from the first server to a second server for storage, the second server being located at a different physical location than the first server. Official notice is taken that storing the data for backup at a different location is well-known in the art of backup data. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Dedrick's for the security purpose.

Regarding to claims 7-8, Dedrick does not disclose making the roaming report available to the first Internet Service provider comprises publishing the roaming report on a World Wide Web server accessible by the first Internet Service Provider. Official notice is taken that assess the data published on the World Wide Web server is well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Dedrick's for the purpose of providing more convenient for publisher/advertiser can view the billing information over the World Wide Web.

Regarding to claim 9, Dedrick discloses the roaming report includes an amount of money owed by the first Internet Service Provider to a second Internet Service Provider for an amount of time a second user was connected to the Internet through a second system operated by the second

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Internet Service provider with whom the second user does not have an account (column 7, lines 1-10).

Regarding to claim 18, Dedrick does not disclose after storing the user record in the first database, filtering the user record to yield a filtered user record, storing the filtered user record in a second database controlled by the central settlement server and suing the filtered user record in place of the user record for generating the roaming report. Official notice is taken that filtering the data in the user record is well-known in the art of data processing. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Dedrick's for the purpose of filtering data for generating a bill.

Regarding to claim 19, Dedrick further discloses after the roaming report is generated, using the central settlement server to generate a settlement report form the user record, the settlement report including at least an amount of money a second Internet Service Provider must pay for the amount of time the first user was connected to the Internet through the first system (column 7, lines 1-10).

Regarding to claim 20, Dedrick does not disclose a plurality of users records are transmitted to the second server by a plurality of first servers, with at least one of the plurality of first server being located at a different physical location than another of the plurality of first servers. Official notice is taken that storing the data for backup at a different location is well-known in the art of backup data. Therefore, it would have been obvious to one with ordinary skill

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in the art at the time the invention was made to include the feature above with Dedrick's for the security purpose.

Regarding to claim 10, Dedrick further discloses making the settlement report available to the second Internet Service Provider (column 6, lines 38-41).

Regarding to claim 11, Dedrick further discloses after the settlement report is made available to the second Internet Service Provider, transmitting funds from the second Internet Service Provider to a settlement operator and transmitting funds from the settlement operator to the first Internet Service Provider (column 7, lines 1-10).

Claims 12-17 are written in means that parallel the limitations found in claims 6-10 discussed above, therefore are rejected by the same rationale.

Conclusion

7. Claims **1-20** are rejected.

6. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Egendorf (US 5,794,221) discloses an Internet billing method.

Reeder (US 5,852,812) discloses a billing system for a network.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Thursday from 7:30 AM-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)308-1065.

9. Any response to this action should be mail to:

Commissioner of Patents and Trademarks
c/o Technology Center 2700
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-5397 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington.
VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen
May 15, 2002


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